## **MANDATE**

S.D.N.Y. – N.Y.C. 22-cv-5230 Swain, C.J.

## United States Court of Appeals

FOR THE SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 31<sup>st</sup> day of March, two thousand twenty-three.

Present:

Debra Ann Livingston, *Chief Judge*,

Rosemary S. Pooler,

Robert D. Sack, *Circuit Judges*.

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John Doe,

*Plaintiff-Appellant*,

v. 22-1814

Bronx District Attorney's Office,

Defendant-Appellee.

Appellant, pro se, moves for leave to proceed in forma pauperis and for other relief. Upon due consideration, it is hereby ORDERED that the motion is DENIED and the appeal is DISMISSED because it "lacks an arguable basis either in law or in fact." *Neitzke v. Williams*, 490 U.S. 319, 325 (1989); *see* 28 U.S.C. § 1915(e).

FOR THE COURT: Catherine O'Hagan Wolfe, Clerk of Court

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A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit

MANDATE ISSUED ON 05/08/2023